



New York State Department of
TAXATION and FINANCE

Processing Division
State Campus, Albany, New York 12227

Viacom Premium Television, Inc.

**WAIVER, MODIFICATION, OR CANCELLATION OF PENALTY AND INTEREST
REQUIRING APPROVAL OF THE STATE TAX COMMISSION**

SS # OR ID #		
13-2840309 AA09		
TAXPAYER'S NAME		
Viacom Premium Television, Inc.		
STREET ADDRESS		
C/O Viacom INTL		
1211 Avenue of The Americas		
CITY	STATE	ZIP CODE
New York	NY	10036

TAXING APPLICATION:

- ☒ Corporation Tax
☐ Personal Income Tax
☐ Sales Tax
☐ Withholding Tax
☐ Miscellaneous Tax:

ASSESSMENT NO.
C8402291698
FILING PERIOD
December 31, 1982

INTEREST AND PENALTY ASSESSED	
\$	8,332.34
INTEREST PAID	
\$	-0-
RECOMMENDED CANCELLATION	
\$	8,332.34

In accordance with established policy, approval of the State Tax Commission (*more than one member*) is required where the proposed cancellation of interest and/or penalty is for an amount in excess of \$5,000.00 or for a situation not covered in policy memoranda.

Taxpayer timely filed a request for an extension and an additional extension.

An issue is whether the MTA extension was invalid because the required monetary requirements were not met.

This taxpayer derived all its income from its interest in a partnership, Showtime Entertainment, which had been reporting its income on a cash basis.

After the extension requests of Viacom were filed, Showtime Entertainment incorporated and merged with another corporation, which required a change of accounting method from cash to accrual, resulting in a much higher, unanticipated, tax for Viacom. Franchise Tax for 1981 was \$250.00 versus \$173,598.00 for 1982.

Based on these circumstances and the taxpayers reliance on prior year figures in estimating and prepaying their MTA tax, we believe reasonable cause exists and recommend cancellation of the above penalties. A copy of the taxpayers letter of March 6, 1984 is attached.

Approval Recommended By:		
NAME	TITLE	DATE
<i>[Signature]</i>	<i>[Signature]</i>	9/17/84
Approval Recommended By:		
NAME	TITLE	DATE
<i>[Signature]</i>	<i>[Signature]</i>	7/1/84
Commissioner		
DATE: <i>[Signature]</i> APPROVED <i>[Signature]</i> DISAPPROVED <i>[Signature]</i>		
Commissioner		
DATE: 10/3/84 APPROVED <i>[Signature]</i> DISAPPROVED <i>[Signature]</i>		
Commissioner		
DATE: <i>[Signature]</i> APPROVED <i>[Signature]</i> DISAPPROVED <i>[Signature]</i>		